

Dr. J. C. M.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THE EUROPEAN COMMUNITY,

Plaintiff,

- v -

RJR NABISCO, INC., et al.,

Defendants.  
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**DECISION AND ORDER**

CV-00-6617 (NGG)(VVP)

In accordance with the court's order, counsel for the plaintiff have submitted for *in camera* review the retainer agreement between counsel and the plaintiff. Upon review of that agreement, under the same analysis employed by the court in its ruling regarding the disqualification motion made in the parallel action brought by Departments of Colombia, the court finds no basis for disclosure of the agreement to the defendants, or for the court to take further action regarding continued representation of the plaintiff by its present counsel.

In reaching this decision, the court neither read nor unsealed the accompanying memorandum submitted by the plaintiff concerning disclosure of the agreement, and the motion by the defendants for an order directing the plaintiff to serve them with a copy of the memorandum is therefore DENIED.

The court having resealed the retainer agreement, it is submitted along with the sealed memorandum to the clerk of court to be filed under seal, and they shall be kept by the clerk of court under seal and not unsealed except by specific order of a judge of this court who is assigned to this action.

As to the remaining retainer agreements with the various Departments of  
Colombia in the parallel action, the plaintiffs' counsel in that matter shall submit copies  
of those agreements to the court for *in camera* review on or before January 25, 2001.

SO ORDERED:



VIKTOR V. POHORELSKY  
United States Magistrate Judge

Dated: Brooklyn, New York  
January 12, 2001